

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**JONATHON GADRA-LORD,**  
**Plaintiff**

**v.**

**DAVID VARANO, et al.,**  
**Defendants**

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**No. 1:12-cv-2426**  
**(Chief Judge Kane)**  
**(Magistrate Judge Carlson)**

**ORDER**

On December 7, 2012, Magistrate Judge Carlson issued a Report and Recommendation, recommending that Plaintiff's motion for leave to proceed in forma pauperis be granted, but that his complaint be dismissed without prejudice to his right to file an amended complaint. (Doc. No. 8.) Plaintiff did not object to the Report and Recommendation; instead, he filed an amended complaint and a motion for appointment of counsel.<sup>1</sup> (Doc. Nos. 9, 10.)

On February 15, 2013, Plaintiff filed a letter with the Court requesting a copy of the docket and a report on the status of this case. (Doc. No. 12.) Plaintiff did not object to Magistrate Judge Carlson's Report and Recommendation, and thus the Court will adopt the Report and Recommendation dismissing the original complaint. Because Plaintiff filed an amended complaint, the Court will refer the case to Judge Carlson for pretrial management and to conduct a screening of Plaintiff's amended complaint.<sup>2</sup>

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<sup>1</sup> The Magistrate Act, 28 U.S.C. § 636, and Federal Rule of Civil Procedure 72(b), provide that any party may file written objections to a magistrate's proposed findings and recommendations. In deciding whether to accept, reject, or modify a Report and Recommendation, a Court must make a de novo determination of those portions of the Report and Recommendation to which objection is made. 28 U.S.C. § 636(b)(1).

<sup>2</sup> A court must review the complaint of a plaintiff proceeding in forma pauperis prior to service of process under 28 U.S.C. § 1915(e). If the court determines that an action fails to state

**ACCORDINGLY**, on this 20th day of February 2013, it is **HEREBY ORDERED**

**THAT:**

1. Magistrate Judge Carlson's Report and Recommendation (Doc. No. 8) is **ADOPTED**;
2. Plaintiff's original complaint (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE**;
3. Plaintiff's motion for leave to proceed in forma pauperis (Doc. No. 2) is **GRANTED**; and
4. This case is **REFERRED** to Magistrate Judge Carlson for pretrial management, and to conduct a screening of Plaintiff's amended complaint.

/s/ Yvette Kane  
Yvette Kane, Chief Judge  
United States District Court  
Middle District of Pennsylvania

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a claim on which relief may be granted, dismissal of that claim is required. 28 U.S.C. § 1915(e)(2)(B) (ii); see also id. § 1915A(b)(1).